



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET #SC2003-0021**

December 5, 2003

Janvrin Family Trust
Attn: Kevin Janvrin
60 Mill Lane
Seabrook, New Hampshire 03874

RE: Wetlands Bureau Complaint File #2003-2566

Janvrin, 60 Mill Lane, Seabrook Tax Map 4 / Lot 7-3
Meldrum, 64 Mill Lane, Seabrook Tax Map 4 / Lot 7-4

Dear Mr. Janvrin:

As you are aware, on November 4, 2003 and November 6, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection, along with Sue Foote, Seabrook Conservation Commission, and Paul Garand, Seabrook Building Inspector, of the above referenced properties, more specifically referenced on the Town of Seabrook Tax Map 4 as Lot 7-3 (Janvrin) and Lot 7-4 (Meldrum) (the "Properties"). The purpose of the inspection was to respond to a complaint of alleged unauthorized fill in freshwater wetlands and determine compliance with RSA 482-A, the New Hampshire Wetlands Law.

DES personnel determined that filling of approximately ,500 sq. ft. of freshwater wetlands took place on the properties.

A permit is required from the DES Wetlands Bureau before doing any work in a jurisdictional area, in this case, a wetland. Therefore, DES requests that you take the following action:

1. Retain a qualified wetland consultant to generate a plan which depicts existing conditions showing the topography of the property, and quantifies by field survey the current extent of disturbance in jurisdictional wetlands, and a restoration plan, as described below.
2. Submit both the existing conditions plan, and a restoration plan no later than February 5, 2004 for review and approval including:
 - a. A plan with dimensions for the removal of approximately 1,500 sq. ft. of unpermitted fill in wetlands and regrading the disturbed areas to original contours;
 - b. Planting plan (emergent/scrub-shrub wetland species) for the stabilization of the removal areas;
 - c. Equipment and methods of erosion control (silt fence, hay bales, etc.);
 - d. Construction sequence and timetable for accomplishing remediation no later than July 5, 2004.

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3. Obtain written permission from the property owner Meldrum located at 64 Mill Lane to proceed with the wetland restoration activities to be done on this property. Provide DES with a copy of this written permission.
4. Retain a qualified wetland consultant to supervise and execute the requests of this letter.
5. Execute the restoration plan immediately upon receipt of the restoration plan approval from the DES Wetlands Bureau.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging or filling in and adjacent to wetlands or surface waters, an individual is required to obtain a permit from the Wetlands Bureau. If work is done without a permit from the Wetlands Bureau, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

David Price, Enforcement Investigator
Wetlands Bureau
Department of Environmental Services
360 Corporate Drive
Suite 2
Portsmouth, NH 03801

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 433-6183.

Sincerely,


Don Wiggins
Coastal Supervisor
DES Wetlands Bureau

DAW/dap

CERTIFIED MAIL #7003 1010 0003 3557 2616

cc: Rene Pelletier, Manager, Land Resources Management Program
Mark Harbaugh, DES Legal Unit
Seabrook Conservation Commission
Paul Garand, Greenland Building Inspector